the High Courts *vide* D.O letter No. 11013/112002-Jus(M)/Pt./230 dated 7th August, 2002 from Minister for Law and Justice addressed to Chief Ministers of States and Chief Justices of High Courts to take necessary action to fill up all the vacancies in compliance with the directions of the Supreme Court. Further, the State Governments are periodically requested to set up the full number of fast track courts as envisaged in the Scheme.

(c) Disposal of cases including Human Rights cases falls within the substantive function of the Judiciary. Therefore, the Government can not intervene in the matter. However, the fast track courts have been established to dispose of long pending cases including cases of undertrials languishing in jails, on priority. Some of the State Governments have notified "Human Rights Courts" as provided in section 30 of the Protection of Human Rights Act, 1993, for disposal of cases expeditiously.

(d) No such information is maintained in the Department.

Review of amendments to the Legal Services Authorities Act

1900. SHRI N.K. PREMACHANDRAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government are aware that amendments in the Legal Services Authorities Act would adversely affect the interest of litigants;

(b) whether Government agree that the amendments are intended to introduce alternative judicial system and denial of Justice without even appeal provisions;

(c) if not, the opinion of Government thereto;

(d) the reasons for not prescribing the minimum qualification for non-judicial members of adalat;

(e) how far the Lok Adalats comply with Indian Evidence Act; and

(f) whether Government propose to discuss the matter with Bar Council of India and review the amendment?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) to (d) The amendment in the Act permit establishment of Permanent Lok Adalats as an additional forum to the litigant persons for resolution of their disputes with certain public utility

services. Under the Act, it is optional to the litigant persons to approach the Permanent Lok Adalats for settlement of their dispute with the public utility service. The resolution of disputes through Permanent Lok Adalats not only minimizing the litigation expenditure, saves valuable time of the parties and their witnesses and also facilitates inexpensive permanent remedy appropriately to the satisfaction of both the parties. Therefore, it may not be proper to say that the institution of Permanent Lok Adalat is anti-litigant. The Supreme Court of India has also examined the validity of the amendment made in the Act in Writ Petition (Civil No. 543/2002) in the case of S.N. Pandey *Vs.* Union of India, and vide its order dated 28.10.2002 upheld the constitutional validity of the aforesaid Act. The Supreme Court of India has also held that the constitution of the Permanent Lok Adalats mechanism contemplate the judicial officer or a retired judicial officer being there alongwith other persons having adequate experience in the public utility services. We do not find any constitutional infirmity in the said legislation. The Act ensures that justice will be available to the litigant speedily and impartially. We do emphasis that the persons who are appointed on the Permanent Lok Adalats should be persons of integrity and adequate experience.

(e) As per Section 22D of the Legal Services Authorities (Amendment) Act, 2002, the Permanent Lok Adalat while conducting conciliation proceedings or deciding dispute on merit shall be guided by the principle of natural justice, objectivity, fair play, equity and other principles of justice, and shall not be bound by the code of Civil Procedure, 1908 and the Indian Evidence Act, 1872.

(f) No, Sir.

Misuse of Section 498 of IPC by litigants

1901. SHRI MANOJ BHATTACHARYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government's attention has been drawn to a judgement of the Andhra Pradesh High Court, wherein it has expressed its displeasure on the growing misuse of the provisions of Section 498 of the Indian Penal Code by the litigants;